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10 Attorneys for uCool, Inc.

11
12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15
16 Blizzard Entertainment, Inc., and Valve
Corporation,

17 Plaintiffs,

18 v.

19 Lilith Games (Shanghai) Co. Ltd., and
20 uCool, Inc.,

21 Defendants.

CASE NO. 3:15-cv-04084-CRB

**AMENDED DECLARATION OF
MICHAEL LAFOND FILED IN SUPPORT
OF UCOOL, INC.'S REPLY IN SUPPORT
OF MOTION TO DISMISS FIRST
AMENDED COMPLAINT**

Date: April 8, 2016

Time: 10:00 a.m.

Courtroom: 6, 17th Floor

Judge: The Hon. Charles R. Breyer

1 I, Michael F. LaFond, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate with the law firm Quinn Emanuel Urquhart &
4 Sullivan, LLP, counsel for Defendant uCool, Inc. I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I have personal knowledge of the following objects and documents that were either
7 manually filed with the court or are attached as exhibits to this declaration.

8 3. **Exhibit A** was manually filed with the Court on March 15, 2016, and is a new,
9 unopened copy of Blizzard Entertainment, Inc.'s product Starcraft II: Wings of Liberty, in its
10 original packaging, which was purchased from Amazon.com on March 7.

11 4. **Exhibit B** was manually filed with the Court on March 15, 2016, and is a new,
12 unopened copy of Blizzard Entertainment, Inc.'s product Diablo III, in its original packaging,
13 which was purchased from Amazon.com on March 7.

14 5. **Exhibit C** was manually filed with the Court on March 15, 2016, and is a new,
15 unopened copy of Walt Disney Picture's movie Pirates of the Caribbean: Curse of the Black Pearl,
16 in DVD format, in its original packaging, which was purchased from Amazon.com on March 9.

17 6. **Exhibit D** was manually filed with the Court on March 15, 2016, and is a new,
18 unopened copy of New Line Cinema's movie The Lord of the Rings: The Return of the King, in
19 DVD format, in its original packaging, which was purchased from Amazon on March 9.

20 7. **Exhibit E** was manually filed with the Court on March 15, 2016, and is a new,
21 unopened iPad Air 2, manufactured by Apple, Inc.

22 8. On Friday, February 5, 2016, I placed a phone call to Ms. Barbara ("Betty")
23 Espinoza, Courtroom Deputy for the Honorable Charles R. Breyer. Ms. Espinoza answered the
24 phone, and I explained that Defendant uCool, Inc. intended to file a copy of an iPad App with the
25 Court, and I asked Ms. Espinoza how the Court would prefer the filing be made. Ms. Espinoza
26 stated that she would inquire and return my call.

